

Application 10/737,067

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Patent office
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ATT: Mr. CongVan Tran

Application 10/737,067 – Remarks

Remarks

The following are my disagreements with the examiner's contentions

Claims 1, 34, 37, and 42 – are unique and are not anticipated by Jung

Jung (2003/0021253) patent is related to a virtual private networks (VPN), which is a system for transmitting data, see Jung paragraph 0003 "The present invention relates generally to a data transmission method in a VPN (Virtual Private Network), and in particular, to a data transmitting method to a mobile node over a VPRN (Virtual Private Routed Network)" and line 27 "For clarity of description, a type of VPN, a Virtual Private Routed Network ("VPRN") will be described. A VPRN is defined to be an emulation of a dedicated IP-based routed network between customer sites.". it is clear from above quote VPN is a data service, for IP communication.

Claims 1, 34, 37, and 42 in my application 10/737,067 are related to Mobile Virtual Network Operators (MVNOs), which are totally different from a VPN, they are telecom operators and not a system, and they are not based on an IP network, they are based on the number plan of the mobile devices (simply the telephone numbers).

There is no connection between these terms, see below, it is not based on an IP network :

A Mobile Virtual Network Operators (MVNO) are special service providers (such as Virgin Mobile and ESPN Mobile in the US). MVNOs offer a wireless voice service. The method and system

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described in application 10/737,067 is not related to VPN and is not related to Jung (2003/0021253).

The definition of a MVNO - Mobile Virtual Network Operator - a MVNO is an organization that offers mobile subscription and call services to customers but does not have an allocation of spectrum (so it does not own or operate the base stations and the wireless network).

Entity A is a company which provides mobile service (mainly voice, data is optional, it most likely will be a MVNO too) it aggregates services from various MVNOs (i.e. Virgin Mobile, ESPN Mobile, local Mall MVNO, Supermarket MVNO) and offers to its customers to create rules where they can select which service to receive from each MVNO. For example when they go to the mall they can receive service from the mall's MVNO (i.e. the mall will offer them discount calls to stores and services in the mall, they will receive discounts in stores if they use the mobile phone in the Mall, they will receive selected promotions from stores in the Mall, as they enter the Mall), when they are not in the mall and the time is between 9am-5pm they will receive services from MVNO X, at all times all calls that go unanswered are routed to MVNO Y, which provides them with a unified messaging system (voice mail and email service) (see paragraph 0010 of application). In this manner a customer can use many different MVNOs, enjoying the benefits of various MVNOs at certain times or certain locations. This method creates a viable business model for many smaller MVNOs (i.e. local MVNOs such as the Mall MVNO, or MVNO with a small amount of subscribers)

In point 2 of your letter, you refer in line 10 "virtual wireless network" to VPN description in Jung patent, however "virtual wireless network" is not a VPN. All MVNOs offer virtual wireless networks by definition, because they do not own the network (see definition above), this virtual network has no relation to the VPN term or method, it is not a technical term. **The MVNO virtual network has a very simple definition it is based on the telephone number of the mobile device,** so for example a list of telephone numbers are defined on the MNO network to be part of the MVNO network and so all calls related to these numbers are handled by the MVNO (it is the MVNO's responsibility to handle these calls). This virtual wireless network is the general MNO's (Mobile Network Operator) network, which the MVNO resells under their name. If needed the term "virtual wireless network" can be replaced with the term "MVNO network".

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In point 2 of your letter, you refer in line 12 "end user profiles" these are profiles related to the MVNOs and services each user is subscribed too, and have no relationship to a VPN system or the profiles managed in a VPN system.

In point 2 of your letter, you refer in line 14 "a software system to track events and track transfers between MVNOs" has no relation to VPN. This system is part of Entity A systems, for example, it enables Entity A to provide a bill to their customers (the mobile user) based on the networks and services the mobile users have used and enables Entity A to settle their payments with the various MVNOs which are part of their service (in addition entity A needs to settle its payments with the MNO too).

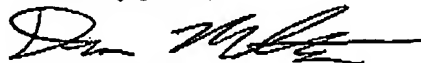
Point 3 – this application is unique and not obvious. See below.

Claims 2-33, 35-36, 38-41, 43-45 – are unique, are not obvious and are not anticipated by Jung

In point 4, the claims should not be rejected, because as described above the Jung patent is not related to this patent.

The method the wireless device the system and the entity described in this application are unique and not obvious. The features you have mentioned such as "authorizing" were not mentioned in the claims and the feature of "routing" which you have mentioned, is mentioned in claim 42 is related to a routing table that is strongly related to this patent and is unique.

Sincerely yours,



Dorron Mottes